UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Criminal No. 08-167 (DWF/FLN)

        Plaintiff,

v.

ORDER ADOPTING REPORT
AND RECOMMENDATION

William Patrick Flannigan,

        Defendant.

Michael A. Dees. Assistant United States Attorney, United States Attorney's Office, counsel for Plaintiff.

Manvir K. Atwal, Assistant Federal Defender, Office of the Federal Defender, counsel for Defendant.

This matter is before the Court upon Defendant William Patrick Flannigan's ("Defendant") objections to Magistrate Judge Franklin L. Noel's Report and Recommendation dated July 23, 2008, recommending that Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure be denied and Defendant's Motion to Suppress Statements, Admissions and Answers be granted.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and

precisely set forth in the Report and Recommendation and is incorporated by reference

for purposes of Defendant's objections.

Based upon the *de novo* review of the record and all of the arguments and

submissions of the parties and the Court being otherwise duly advised in the premises, the

Court hereby enters the following:

ORDER

1.   Defendant William Patrick Flannigan's objections (Doc. No. 23) to

Magistrate Judge Franklin L. Noel's Report and Recommendation dated July 23, 2008,

are **DENIED**.

2.   Magistrate Judge Franklin L. Noel's Report and Recommendation dated

July 23, 2008 (Doc. No. 22), is **ADOPTED**.

3.   Defendant William Patrick Flannigan's Motion to Suppress Evidence

Obtained as a Result of Search and Seizure (Doc. No. 16) is **DENIED**.

4.   Defendant William Patrick Flannigan's Motion to Suppress Statements,

Admissions and Answers (Doc. No. 17) is **GRANTED**.

Dated: August 11, 2008   s/Donovan W. Frank
                                 DONOVAN W. FRANK
                                 Judge of United States District Court